

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MICHAEL L. DALE

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:07-cv-05380-KLS

ORDER ON REMAND

Based on the stipulation between the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand to the administrative law judge (ALJ), the medical evidence will be further evaluated, with particular attention given to the opinions of Dr. Nelson, Dr. Koeniz, and Mr. Cupp. The ALJ will reconsider whether Plaintiff's depression is a severe impairment. The ALJ will also reconsider whether Plaintiff's drug and alcohol abuse are material. The ALJ will re-evaluate Plaintiff's subjective complaints and testimony. The ALJ will

1 also re-evaluate Plaintiff's maximum physical and mental residual functional capacity. A new
2 hearing will be held, where Plaintiff will be given the opportunity to present new arguments and
3 issues. The parties agree that reasonable attorney fees and expenses should be awarded, upon
4 proper application, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.
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6 DATED this 11th day of June, 2008.

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10 Karen L. Strombom
11 United States Magistrate Judge

12 Presented by:

13 s/ L. Jamala Edwards

14 L. JAMALA EDWARDS

15 Special Assistant U.S. Attorney

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